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6 EDWARD R. SHOWALTER

7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 EDWARD R. SHOWALTER,
15 Defendant.

Case No. 8:06-cr-00129-AG

Assigned for all purposes to
Judge Andrew J. Guilford

**DECLARATION OF ROMAN E.
DARMER IN SUPPORT OF
APPLICATION TO WITHDRAW AS
COUNSEL OF RECORD FOR
DEFENDANT EDWARD
SHOWALTER**

[Notice of Application and Application to
Withdraw as Counsel; and [Proposed]
Order filed concurrently herewith]

1 I, Roman E. Darmer, declare and state as follows:

2 1. I am a member of the bar of the State of California in good standing
3 and am admitted to practice before this Court. On May 16, 2011, I was appointed
4 as CJA counsel of record for defendant Edward Showalter in connection with
5 resentencing proceedings in his case following remand of this case for resentencing
6 by the United States Court of Appeals for the Ninth Circuit.

7 2. As of December 31, 2011, I voluntarily resigned from the CJA panel
8 for this District and continued this representation on a pro bono basis to ensure
9 continuity of representation.

10 3. On June 6, 2011, a written agreement with a limited scope of
11 engagement was entered into and signed by Jones Day and Mr. Edward R.
12 Showalter. As explained to Mr. Showalter and as included in the engagement
13 agreement, the scope of the representation was expressly limited to “the handling of
14 proceedings in the U.S. District Court for the Central District of California” and
15 would “not extend to any other proceedings in any other court.” A true and correct
16 copy of the Engagement Letter is attached hereto as Exhibit 1.

17 4. Mr. Showalter has been given reasonable advance notice of the intent
18 to withdraw both orally and in writing. On June 6, 2011, the engagement letter laid
19 out the limited scope of the representation. On numerous occasions including
20 October 10, 2012, Mr. Showalter was informed by me of my firm’s intent to
21 withdraw upon conclusion of the resentencing proceedings in this Court. On
22 October 12, 2012, I sent Mr. Showalter a letter explaining that my firm would file
23 an application to withdraw as counsel. A copy of these motion papers will be
24 served on Defendant.

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